

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

Tracey L. Hamiter, Individually and as  
Personal Representative of the Estate of  
Doris Nichols,

*Plaintiff,*

Versus

Life Care Center of Columbia and Life Care  
Centers of America, Inc.,

*Defendants.*

) C/A No. 3:16-870-MBS  
) (wrongful death)  
)  
)

**NOTICE OF REMOVAL**

TO: JENNIFER SPRAGINS BURNETT, ATTORNEY FOR THE PLAINTIFF:

PLEASE TAKE NOTICE that the Defendants, Life Care Center of Columbia and Life Care Centers of America, Inc. (hereinafter “Defendants”), have this day filed in the Office of the Clerk of the United States District Court for the District of South Carolina, for the above-captioned Division, a Notice for Removal of the above-entitled action from the State Court of South Carolina in the Circuit Court for the County of Richland, South Carolina, to the District Court of the United States for the District of South Carolina, for the above-captioned Division.

1. The above entitled action was instituted by the Plaintiff against the Defendants by the service of a Summons and Complaint, on or about February 4, 2016, and this action is now pending in the State Court of South Carolina in the Circuit Court for the County of Richland.

2. Upon information and belief, at the time of the commencement of the action, the Plaintiff was and still is a citizen of the State of South Carolina.

3. Upon information and belief, the decedent, Doris Nichols, was a citizen of Richland County, South Carolina at the time of her death and during the time of the events alleged in the Complaint.

4. The Defendant Life Care Center of Columbia (LCCC) is a trade name.

5. The Defendant Life Care Centers of America, Inc. (LCCA) is a corporation organized under the laws of the State of Tennessee, with its principal place of business in Tennessee and conducts business in Richland County, South Carolina as Life Care Centers of Columbia (LCCC).

6. The United States District Court for the District of South Carolina has original jurisdiction over Plaintiff's Complaint pursuant to 28 U.S.C. § 1332. All parties to this action are diverse as citizens of different states as a corporation is considered a citizen of any state in which it has been incorporated or any state where it has its principle place of business. Furthermore, Plaintiff's Complaint demands judgment against the Defendants for actual damages and punitive damages. Although no specific monetary value is included in the Complaint, the Defendants suspect, upon information and belief, the damages alleged would exceed the sum or value of \$75,000.00, exclusive of interest and costs; therefore, this action is one which may be removed to this Court by Defendants pursuant 28 U.S.C. § 1441.

7. A copy of this Notice for Removal is being served on all adverse parties and filed with the Clerk of Court, Richland County Courthouse, where this case was originally filed.

8. The Defendants, Life Care Center of Columbia and Life Care Centers of America, Inc., file herewith a copy of all process, pleadings and orders served upon it in this action as part of this Notice.

WHEREFORE, the Defendants, Life Care Center of Columbia and Life Care Centers of America, Inc., respectfully request that this Court will consider this Notice for Removal as provided by law governing the removal of cases to this Court; that this Court will make the proper orders to effect the removal of this cause of action from the Court of Common Pleas, Richland

County, to this Court; and that this Court will make such orders as may be appropriate to effect the preparation and filing of a true record of all proceedings that may have been had in the circuit court.

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s/ Elloreë A. Ganes  
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Elloreë A. Ganes (9022)  
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*Attorneys for the Defendants  
Life Care Center of Columbia and Life Care  
Centers of America, Inc.*

**March 18, 2016**  
Charleston, South Carolina

**VERIFICATION**

The undersigned attorney affirms and states:

That she is one of the attorneys for the Petitioner herein and is authorized to sign this Notice of Removal for Petitioner. That she has prepared and read the foregoing Notice of Removal and the matters and things therein are true as he/she verily believes.

s/ Elloreë A. Ganes  
Elloreë A. Ganes (9022)